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*Reply to: Harrison, NJ Office*

July 22, 2008

Honorable Magistrate Judge Kevin Nathaniel Fox  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

**VIA ELECTRONIC FILING**

**Re: The New York City District Council of Carpenters Pension Fund, et al. v.  
Fine and Excellent All Window Treatment Installation, Inc.  
Case No.: 07-cv-6197**

Dear Judge Fox:

This office represents Fine and Excellent All Window Treatment Installation, Inc. and Fernando Figueroa in connection with the above matter, upon which Your Honor has written a Report and Recommendation to Judge Barbara S. Jones on June 20, 2008.

Please be advised that my firm has represented the company throughout settlement discussions which began on or about January 9, 2007. I have dealt with attorney, Steve Kasarda, Esq., and other representatives of the Fund, at numerous meetings and telephone conferences.

I have never received any Notice of Arbitration even though I am the attorney of record for the company. Consequently, I was never notified of an Arbitration Hearing or any Court proceedings. If I were notified I would have certainly appeared at the Arbitration and during the Court process.

I respectfully request an opportunity to present evidence on behalf of my client in this matter. Thank you for your anticipated cooperation.

Very truly yours,

TOBIA & SORGER ESQS., LLC

/s/ Ronald L. Tobia, Esq.

RONALD L. TOBIA, ESQ.

RLT: cf

cc: Steve C. Kasarda, Esq. (Via Email skasarda@odblaw.com)  
Fine & Excellent All Window Treatment Installations, Inc.  
Roger Mahr, Arbitrator (Via Email: striker52@aol.com)